

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE SIXTH DAY OF MAY

TWO THOUSAND AND TWENTY ONE ✓

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI ✓

CRL.P. NO: 2961 OF 2021 ✓

Between:

Kolluri Ramu @ Ramakrishnarjuna Rao, S/o. KV Satyanarayana

..... Petitioner/Accused No.1 ✓

AND

The State of Telangana, Rep by Its Public Prosecutor, High Court at
Hyderabad, through The Station House Officer, P.S. Paloncha, Bhadradri
Kothagudem District.

.....Respondent/Complainant ✓

Petition under Sections 437 & 439 of Cr.P.C. praying that in the
circumstances stated in the petition filed herein, the High Court may be pleased
to enlarge the Petitioner/Accused No. 1 on bail in connection with FIR No. 74 of
2021 on the file of PS, Paloncha Town, Bhadradri Kothagudem. ✓

The petition coming on for hearing, upon perusing the Petition and
the grounds filed in support thereof and upon hearing the arguments of
Sri Pulla Rao Yellanki, Advocate for the Petitioner, and of Assistant Public
Prosecutor for the respondent, the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2961 of 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., is filed by the petitioner/A-1 seeking to grant bail to him in Crime No.74 of 2021 of P.S. Paloncha, registered for the offences punishable under Sections 294(b), 323, 506, 306 r/w.149 of IPC.

Heard learned Counsel appearing for petitioner, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

As could be seen from the contents of the remand report, the present petitioner has purchased Verna Car by taking loan in the name of his brother-in-law, who is A-2 in this case. However, the deceased stood as surety to the said loan transaction. As the instalment amounts of the car loan were not paid properly by the petitioner herein, the Bank authorities sent notice to the deceased and also threatened to file a case against the deceased and the present accused. When the deceased and his family members have asked the petitioner herein as to why the loan has not been paid, the petitioner herein along with other accused, forcibly necked out LW-1 and the deceased from the house. The petitioner herein has also threatened the deceased to withdraw the case. He also threatened the deceased with dire consequences and also asked him to die. The present petitioner along with A-2, with the support of other persons, have provoked the

deceased to consume poison and die, upon which, the deceased consumed poison and committed suicide.

It is submitted by the learned counsel for petitioner that the de facto complainant and her deceased husband went to the house of the petitioner herein and started abusing him in filthy language on the ground that the petitioner is not paying the car loan, which was obtained from the Bank. It is further submitted that on earlier occasion also, the de facto complainant has filed a complaint on the very same allegations for non-payment of instalment amounts to the Bank and it was registered as Crime No.37 of 2019 and the same is still pending. It is submitted that subsequently, the de facto complainant, taking advantage of the death of her husband by consuming poison, with an evil intention, has foisted the present false case against the petitioner and his family members. It is further submitted that the Police have already completed the entire investigation and examined almost all the material witnesses in this case. It is submitted that the petitioner was arrested on 16.03.2021 and since then, he is in judicial custody. It is submitted that the petitioner is ready to comply with any conditions that may be imposed by this Court, in case of his enlargement on bail.

In **Sheru v. Narcotics Control Bureau**¹, a three Judge Bench of the Apex Court, while granting bail to a person in a case filed under the Narcotic Drugs and Psychotropic Substances Act in view of unusual times of the COVID-19 pandemic, held that they consider it

¹ CrI.A.Nos.585 and 586 of 2020, dated 11.09.2020.

appropriate to enlarge the petitioner on bail on terms and conditions to the satisfaction of the trial Court.

In view of the judgment of the Apex Court in **Sheru's case** (1 supra), having regard to the fact that the petitioner is in jail since 16.03.2021 and looking into the nature of allegations levelled against the petitioner and also in view of the peculiar conditions of COVID-19 pandemic prevailing in the country, without delving into the merits of the matter, I am inclined to grant bail to the petitioner.

The Criminal Petition is allowed and the petitioner is directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioner shall be released on bail on his executing a personal bond to the tune of Rs.50,000/- (Rupees Fifty thousand only) with two sureties for a like sum each, to the satisfaction of 2nd Additional Judicial First Class Magistrate at Kothagudem.
- (ii) Commencing from the month of June, 2021, the petitioner shall appear before the investigating authorities on 3rd Saturday of every month between 10.00 am and 5.00 pm till completion of investigation and filing of final report.
- (iii) The petitioner shall not indulge in similar type of offences in future and if it is found that he has indulged in similar type of offences in future, the liberty granted to him shall automatically stand

cancelled and he would be taken into custody forthwith.

- (iv) The petitioner shall personally appear before the Court concerned on each date of hearing till conclusion of trial.
- (v) The petitioner shall not interfere with the investigation, intimidate or induce the material witnesses and shall cooperate with the investigating agency.
- (vi) The petitioner shall not misuse the liberty granted to him.

Miscellaneous applications, if any, pending, shall stand closed.

//TRUE COPY//

**SD/- I.NAGA LAKSHMI
ASSISTANT REGISTRAR**

SECTION OFFICER

To

1. The II Additional Judicial First Class Magistrate at Kothagudem ✓
2. The Superintendent, District Jail, Khammam ✓
3. The Station House Officer, Police Station, Paloncha Town, Bhadradi Kothagudem. ✓
4. Two CCs to the Public Prosecutor, High Court at Hyderabad (OUT) ✓
5. One CC to Sri Pulla Rao Yellanki, Advocate (OPUC) ✓
6. One spare copy. ✓

HIGH COURT

GSD,J

DATED: 06.05.2021

ORDER:

CRLP. NO: 2961 of 2021

BAIL



[Handwritten signature]